



February 20, 2009

SENATE BILL No. 248

DIGEST OF SB 248 (Updated February 18, 2009 1:31 pm - DI 104)

Citations Affected: IC 25-20.5.

Synopsis: Group setting hypnosis by hypnotists. Authorizes a hypnotist to perform hypnosis in a group setting for the treatment of: (1) self-hypnosis; (2) sports enhancement; (3) test taking; (4) tobacco cessation; and (5) weight loss. Makes technical changes.

Effective: July 1, 2009.

Lawson C

January 7, 2009, read first time and referred to Committee on Health and Provider Services.
February 19, 2009, reported favorably — Do Pass.

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SB 248—LS 6892/DI 104+



February 20, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 248

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-20.5-1-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. As used in this
3 chapter, ~~"hypnotism"~~ **"hypnosis"** means a temporary condition of
4 altered or intensified attention induced in an individual by a person
5 who professes to be a hypnotist, in which the condition is characterized
6 by a variety of phenomena that appear spontaneously or in response to
7 verbal or other stimuli, including the following phenomena:
8 (1) Alterations in consciousness and memory.
9 (2) Increased suggestibility.
10 (3) The production of responses and ideas unfamiliar to the
11 individual in the individual's usual state of mind.
12 The term includes neurolinguistic programming, transformational
13 imagery, guided imagery, and visualization.
14 SECTION 2. IC 25-20.5-1-5 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. As used in this
16 chapter, "hypnotist" means an individual who practices ~~hypnotism~~;
17 **hypnosis**, teaches an individual to become a hypnotist, or trains an

SB 248—LS 6892/DI 104+



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individual in self-hypnosis.

SECTION 3. IC 25-20.5-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 9. (a) The committee shall:

- (1) judge the qualifications of hypnotists who apply for certification;
- (2) provide all examinations either directly or by delegation under subsection (c);
- (3) determine the applicants who successfully pass examinations;
- (4) certify qualified applicants; and
- (5) propose rules concerning the competent practice of ~~hypnotism~~ **hypnosis** to the board.

(b) The board shall adopt rules under IC 4-22-2, after considering the committee's proposed rules, establishing:

- (1) standards for the competent and ethical practice of ~~hypnotism~~ **hypnosis**, and
- (2) fees and renewal fees for certification.

(c) The committee may approve and use the services of a testing company or an agent to prepare, conduct, and score examinations.

SECTION 4. IC 25-20.5-1-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 22. (a) Before providing ~~hypnotism~~ **hypnosis** services, a certified hypnotist shall disclose in writing to the individual to whom ~~hypnotism~~ **hypnosis** services are provided the hypnotist's educational background in the field of hypnotism, including the following:

- (1) Whether the hypnotist has a degree in hypnotism or a related field.
- (2) The type of degree issued, the qualifications for the degree, and the institution that issued the degree.

(b) An individual who:

- (1) violates subsection (a); or
- (2) provides false information or documents under this section;

commits a Class A infraction.

SECTION 5. IC 25-20.5-1-23.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 23.5. A hypnotist may perform hypnosis in a group setting for the following:**

- (1) **Self-hypnosis.**
- (2) **Sports enhancement.**
- (3) **Improvement in test taking.**
- (4) **Tobacco cessation.**
- (5) **Weight loss.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 248, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 248 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 11, Nays 0.

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